

Worksheet
Determination of NEPA Adequacy (DNA)
U.S. Department of the Interior
Bureau of Land Management

OFFICE: Humboldt River Field Office

TRACKING NUMBER: DOI-BLM-NV-W010-2018-0039-DNA

CASEFILE/PROJECT NUMBER: NV-18-008, Pending Sale NVN095303

PROPOSED ACTION TITLE/TYPE: October 2018 Geothermal Lease Sale

LOCATION/LEGAL DESCRIPTION:

T.0340N, R.0360E, 21 MDM, NV

Sec. 004 LOTS 1-4;
004 S2NE,S2NW,S2;
006 LOTS 1-2;
006 S2NE,SE;
008 ALL;
018 LOTS 1-4;
018 E2,E2NW,E2SW;
020 ALL;
030 E2,E2NW,E2SW;

T.0350N, R.0360E, 21 MDM, NV

Sec. 020 NWNW,S2SW,SE;
028 ALL;
032 ALL;

Pershing County

APPLICANT (if any): BLM

A. Description of the Proposed Action with attached map(s) and any applicable mitigation measures.

A Competitive Geothermal Lease Sale of certain public lands nominated by members of the Geothermal Industry, located within the area administered by the Winnemucca District, Humboldt River Field Office (HRFO), pursuant to the Geothermal Steam Act and 43 CFR 3200; scheduled for October 23, 2018. The parcel to be offered for sale

comprises 4908.65 acres of public lands, located at the western base of Rose Creek Mountain, along the Humboldt County and Pershing County boarder.

Nominated parcels were reviewed in accordance with the Winnemucca District Resource Management Plan (RMP), appropriate lease stipulations and notices would be applied.

Lease issuance alone does not authorize any ground-disturbing activities to explore for or develop geothermal resources without site-specific approval for the intended operation. Such approval could include additional environmental reviews and permits.

B. Land Use Plan (LUP) Conformance

Winnemucca District Planning Area Resource Management Plan (RMP) and Record of Decision, May 21, 2015, as amended by the Record of Decision and Approved Resource Management Plan Amendments for the Great Basin Region Nevada and Northeastern California, Sept 21, 2015 (GRSG Plan Amendment and ROD).

The proposed action in conformance with the applicable LUP because it is specifically provided for the following LUP decisions:

Objective MR 4: Lands within the WD will be open to geothermal and oil and gas leasing and development, except where incompatible with important resource values. Protect, manage and conserve lands acquired in a manner consistent with the goals of the acquisition and the resource values present, in accordance with those actions described below, and considering the management applied to adjacent public lands.

Action MR 4.1.1: 2,851,895 acres will be open with only standard lease terms and stipulations (Figure 2-13, Appendix A of the WDRMP). (Note: Survey for and mitigation of impacts on cultural resources, sensitive species, and migratory birds are considered standard stipulations [see Actions CR 1.1, CR 1.2, SSS 3.2, SSS 6.1.1, SSS 7.1.1, and FW 4.1, see WDRMP Appendix L, Winnemucca Fluid Mineral Lease Sale Stipulations]).

Action MR 4.1.2: 2,435,327 acres will be open, with standard lease terms and stipulations, as well as one or more of the following seasonal or other restrictions listed below:

- a. PMUs that are not within priority wildlife habitat areas (see Action SSS 5.2.2).
- b. Within HMAs, where proposed activities could result in adverse impacts on the health and welfare of WHB (see Action WHB 4.1).
- c. Within defined avoidance areas (see Action LR 5.2).
- d. Within priority watersheds that are not T&E species habitat (see Actions WR 3.2 and WR 3.2.1).

e. Areas in VRM Class I, II & III.

Action MR 4.1.3: 205,485 acres will be open to leasing but subject to a no surface occupancy stipulation, applicable to the following (Figure 2-13, Appendix A of the WDRMP):

- a. No new fluid leasing surface occupancy will be allowed within a mile of the NHT (see Action CR 6.9). To accomplish this, any quarter-quarter-quarter section (10-acre parcel) within or intersected by the trail or the one-mile buffer line will be subject to NSO.

Objective MR 5: Manage fluid mineral operations to provide for the energy needs of the nation, while assuring compatibility with and protection of other resources (per the Energy Policy Act of 2005) (DOI 2005).

Action MR 5.1: In addition to applicable lease stipulations, apply standard conditions of approval as necessary to reasonably protect other resources and meet resource objectives.

Action MR 5.2: Compliance inspections will meet existing policy and be of sufficient frequency and detail to ensure appropriate protection of the public interest in production and resource values.

C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.

The following are other documents that applicable for site background information:

- *The Gold Book* (BLM\WO\ST-06/021+3071, 4th edition) 2006.
- EA# NV-020-02-029 "Winnemucca Field Office Geothermal Resources Leasing Programmatic Environmental Assessment", Decision Record/Finding of No Significant Impact (DR/FONSI) dated, September 10, 2002 and modification DR/FONSI dated September 13, 2002.
- Programmatic Environmental Impact Statement for Geothermal Leasing in the Western United States, Record of Decision and Resource Management Plan Amendments for Geothermal Leasing in the Western United States, dated, December 2008 (2008 PEIS).

D. NEPA Adequacy Criteria

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA documents(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

Geothermal leasing was evaluated and analyzed in the EIS associated with the WDRMP. A Record of Decision (ROD) was reached on the WDRMP in May 2015. Therefore, the resource allocations made are very current. The single parcel within the WDO proposed for lease is located within areas that are open for fluid mineral leasing either with standard stipulations, with standard and special stipulations or open to leasing with no surface occupancy.

Geothermal leasing is also analyzed in the nationwide programmatic geothermal leasing EIS, ROD 2008.

2. Is the range of alternatives analyzed in the existing NEPA documents(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?

Yes. The nominated geothermal parcels were reviewed with respect to the range of alternatives analyzed in the existing NEPA documents.

The proposed action and the No Action Alternative were the two alternatives analyzed in EA NV-020-02-029. The proposed action was to consider leasing all or some of the geothermal resources within thirteen (13) Potentially Valuable Areas (PVAs) and Known Geothermal Resource Areas (KGRAs) within the jurisdiction of the WDO and a portion of the Stillwater Field Office.

Under the No Action Alternative, pending leases would be analyzed under a previous EA that did not include PVAs or KGRAs and would result in additional NEPA analysis on a case by case basis.

The 2008 PEIS identified three alternatives:

Alternative A- No Action: Continuation of Current Management

Alternative B- Proposed Action and Amendments

Alternative C- Leasing Lands near Transmission Lines

Alternative B was selected as the proposed plan amendment based on: (1) its consistency with the requirements of the Energy Policy Act of 2005, (2) its balanced use and protection of resources, (3) the Final PEIS's analysis of potential environmental impacts, and (4) the comments and recommendations from agencies, states, stakeholders, and the public.

Alternative B is structured to be consistent with the congressional mandate of the Energy Policy Act to facilitate geothermal leasing by amending land use plans to allocate geothermal resources and adopt stipulations and procedures for leasing.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

Yes. A review of the proposed parcels did not result in the finding of any new information or circumstances and it can be reasonably concluded that new information and new circumstances would not substantially change the analysis. The Winnemucca District Resource Management Plan, Appendix L and GRSG Plan Amendment Appendix G provide fluid lease stipulations.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

Yes. Both documents state there would be no direct impacts to issuing leases for future geothermal exploration, development, and production activities. Indirect impacts and cumulative effects to resources were considered in the "reasonably foreseeable development scenario". The indirect effects of allowing these nominated parcels to be leased are within the range of the reasonably foreseeable development scenarios identified in both NEPA documents.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

Yes. EA# NV-020-02-029 was made available for a 30 day public comment period via Dear Interested Party letters and news releases. Comments were taken into consideration prior to the final EA and FONSI/DR. The WD RMP and EIS, the Geothermal PEIS, and the GRSG Plan Amendment and ROD were made available for public comment through Federal Register Notices.

E. Persons/Agencies/BLM Staff Consulted

See Team Review page included.

Note: Refer to the EA/EIS for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

☒ **Conclusion** *(If you found that one or more of these criteria is not met, you will not be able to check this box.)*

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM' compliance with the requirements of the NEPA.

Jay M. Ayres 6/1/18
Signature of Project Lead

[Signature] 6/21/18
Signature of NEPA Coordinator

[Signature] 6/27/18 _____
Signature of the Responsible Official Date

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

BLM Nevada Standard Notices (NV-W-00-A-LN)

These notices apply to all parcels all lands and represent standard Best Management Practices for ensuring compliance with extant Federal Laws and resource protection.

T&E, Sensitive and Special Status Species

The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modification of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act as amended, 16 U.S.C. §1531 et seq., including completion of any required procedure for conference or consultation.

Migratory Birds

The Operator is responsible for compliance with provisions of the Migratory Bird Treaty Act by implementing measures to prevent take of migratory birds. Operators should be aware that any ground clearing or other disturbance (such as creating cross-country access to sites, drilling, and/or construction) during the migratory bird (including raptors) nesting season (March 1 -July 31) risks a violation of the Migratory Bird Treaty Act. Disturbance to nesting migratory birds should be avoided by conducting surface disturbing activities outside the migratory bird nesting season.

If surface disturbing activities must be implemented during the nesting season, a preconstruction survey for nesting migratory birds should be performed by a qualified wildlife biologist, during the breeding season (if work is not completed within a specified time frame, then additional surveys may be needed). If active nests are found, an appropriately-sized no surface disturbance buffer determined in coordination with the BLM biologist should be placed on the active nest until the nesting attempt has been completed. If no active nests are found, construction activities must occur within the survey validity time frame specified in the conditions of approval.

Cultural Resources and Tribal Consultation

This lease may be found to contain historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, Executive Order 13007, or other statutes and executive orders. The BLM will not approve any ground-disturbing activities that may affect any such properties or resources until it completes its obligations (e.g., State Historic Preservation Officer (SHPO) and tribal consultation) under applicable requirements of the NHPA and other authorities. The BLM may require modification to exploration or development proposals to protect such properties, or disapprove any activity that is likely to result in adverse effects that cannot be successfully avoided, minimized, or mitigated.

Fossils

This area has low to moderate potential for vertebrate paleontological resources, unless noted to have higher potential in a separate stipulation. This area may contain vertebrate paleontological resources. Inventory and/or on-site monitoring during disturbance or spot checking may be required of the operator. In the event that previously undiscovered paleontological resources are discovered in the performance of any surface disturbing activities, the item(s) or condition(s) will be left intact and immediately brought to the attention of the authorized officer of the BLM. Operations within 250 feet of any such discovery will not be resumed until written authorization to proceed is issued by the Authorized Officer. The lessee will

bear the cost of any required paleontological appraisals, surface collection of fossils, or salvage of any large conspicuous fossils of significant scientific interest discovered during the operations.

Water

The Operator is responsible for compliance with provisions of the Clean Water Act, Safe Drinking Water Act, and applicable State laws and regulations regarding protection of state water resources. Operators should contact Nevada Division of Water Resources and Nevada Division of Environmental Protection regarding necessary permits and compliance measures for any construction or other activities.

Mining Claims

This parcel may contain existing mining claims and/or mill sites located under the 1872 Mining Law. To the extent it does, the oil and gas lessee must conduct its operations, so far as reasonably practicable, to avoid damage to any known deposit of any mineral for which any mining claim on this parcel is located, and should not endanger or unreasonably or materially interfere with the mining claimant's operations, including any existing surface or underground improvements, workings, or facilities which may have been made for the purpose of mining operations. The provisions of the Multiple Mineral Development Act (30 U.S.C. 521 et seq.) shall apply on the leased lands.

Fire

The following precautionary measures should be taken to prevent wildland fires. In the event your operations should start a fire, you could be held liable for all suppression costs.

- All vehicles should carry fire extinguishers and a minimum of 10 gallons of water.
- Adequate fire-fighting equipment i.e. shovel, pulaski, extinguisher(s) and a minimum 10 gallons of water should be kept at the drill site(s).
- Vehicle catalytic converters should be inspected often and cleaned of all brush and grass debris.
- When conducting welding operations, they should be conducted in an area free from or mostly free from vegetation. A minimum of 10 gallons water and a shovel should be on hand to extinguish any fires created from the sparks. Extra personnel should be at the welding site to watch for fires created by welding sparks.
- Report wildland fires immediately to the BLM Central Nevada Interagency Dispatch Center (CNIDC) at (775) 623-3444. Helpful information to reported is location (latitude and longitude if possible), what's burning, time started, who/what is near the fire and direction of fire spread.
- When conducting operations during the months of May through September, the operator must contact the BLM Winnemucca District Office, Division of Fire and Aviation at (775) 623-1500 to find out about any fire restrictions in place for the area of operation and to advise this office of approximate beginning and ending dates for your activities.

**Lease Notice - Wild Horse and Burro
(#NV-W-05-A-LN)**

Wild horse or burro herds are known to use some or all of the proposed lease area. If proposed fluid mineral activities are to occur in a herd management area (HMA) or a Herd Area (HA) the BLM Authorized Officer may identify mitigation measures necessary for reducing adverse impacts to wild horses and/or burros. These measures would be designed in a manner that does not hinder the wild and free-roaming behavior of the horses and burros and may include, but are not limited to, providing alternative water sources for horses of equal quality and quantity as well as fencing to prevent access to project area. Additional specific measures to protect horses and burros may be developed during review of proposals.

Parcel #

NV-18-10-008

Legal Land Description

ALL LANDS

Trails
(#NV-W-07-D-NSO)

Stipulation: No Surface Occupancy (NSO) will be applied directly on National Scenic and Historic Trails and Trails under Study or Recommended as Suitable for Congressional Designation and within National Trail Management Corridors. NSO may be applied to additional bordering lands; the extent will be dependent upon the topography and integrity of the setting surrounding individual trail segments along the designated NHT and National Historic Trail Corridor. Prior to the establishment of a National Trail Management Corridor, at a minimum, NSO will be applied 1/8-mile on either side of the center line of the trail (for a total of a 1/4-mile wide corridor). The center line will be established either through the GIS-based line provided by the Trail Administering Agency (NPS or BLM) or through GPS-based inventories uploaded on the Nevada Cultural Resource Inventory System (NVCRIS).

Objective [Purpose]: To protect the National Scenic and Historic Trails and Trails under Study or Recommended as Suitable for Congressional Designation, and National Trail Management Corridor resources, qualities, values, and associated settings.

Exception: The Authorized Officer may grant an exception if, through the National Historic Preservation Act (NHPA) and Management of National Scenic and Historic Trails and Trails Under Study or Recommended as Suitable for Congressional Designation Manual 6280 requirements, it is determined that the action, as proposed or otherwise restricted, does not adversely affect the resource. An exception may be granted for actions designed to enhance the long-term utility or availability of the trail.

Modification: The Authorized Officer may modify the size and shape of the restricted area if the NHPA and Management of National Scenic and Historic Trails and Trails under Study or Recommended as Suitable for Congressional Designation Manual 6280 requirements indicate the proposed action does not adversely impact the resource.

Waiver: The restriction may be waived if the NHPA and Management of National Scenic and Historic Trails and Trails under Study or Recommended as Suitable for Congressional Designation Manual 6280 requirements determine that the described lands are not contributing elements to the resource. This determination can only come after consultation with the National Park Service, Nevada State Historic Preservation Office and other interested publics.

Parcel #

Legal Land Description

NV-18-10-008

T.0350N, R.0360E, 21 MDM, NV
Sec. 020 NWNW, S2SW, SE;
028 N2;

**Sage-Grouse Habitat
(#NV-W-16-C-TL)**

Stipulation: Timing Limitation. No Surface Occupancy (NSO) would be allowed in Greater Sage-Grouse (GRSG) General Management Habitat Areas (GHMA) winter habitat from November 1 through February 28.

Objective [Purpose]: To protect GRSG winter habitat.

Exception: The Authorized Officer may grant an exception where an environmental review and consultation with the Nevada Department of Wildlife & Sagebrush Ecosystem Technical Team determines that the action, as proposed or otherwise restricted, does not adversely affect GRSG or its habitat. An exception may also be granted if the proponent, the BLM, and the appropriate state agency negotiate mitigation that would provide a clear net conservation gain to GRSG and its habitat.

Modification: The Authorized Officer may modify the size and shape of the restricted area or the period of limitation where an environmental review and consultation with the Nevada Department of Wildlife & Sagebrush Ecosystem Technical Team determines that the action, as proposed or otherwise restricted, does not adversely affect GRSG or its habitat.

Waiver: The Authorized Officer may wave the stipulation where an environmental review and consultation with the Nevada Department of Wildlife & Sagebrush Ecosystem Technical Team determines that the described lands do not contain GRSG or suitable habitat or are otherwise incapable of serving the requirements of GRSG and therefore no longer warrant consideration as a component necessary for their protection.

Parcel #

Legal Land Description

NV-18-10-008

T. 0340N., R.035E., 21 MDM, NV
Sec. 004, Lot 1;
004, S2NE, N2SE;

**Sage-Grouse Habitat
(#NV-W-16-D-TL)**

Stipulation: Timing Limitation. No Surface Occupancy (NSO) would be allowed in Greater Sage-Grouse (GRSG) early brood-rearing habitat from May 15 through June 15.

Objective [Purpose]: To provide seasonal protection to GRSG early brood-rearing habitat in General Management Habitat Areas (GHMA).

Exception: The Authorized Officer may grant an exception where an environmental review and consultation with the Nevada Department of Wildlife & Sagebrush Ecosystem Technical Team determines that the action, as proposed or otherwise restricted, does not adversely affect GRSG or its habitat. An exception may also be granted if the proponent, the BLM, and the appropriate state agency negotiate mitigation that would provide a clear net conservation gain to GRSG and its habitat.

Modification: The Authorized Officer may modify the size and shape of the restricted area or the period of limitation where an environmental review and consultation with the Nevada Department of Wildlife & Sagebrush Ecosystem Technical Team determines that the action, as proposed or otherwise restricted, does not adversely affect GRSG or its habitat.

Waiver: The Authorized Officer may wave the stipulation where an environmental review and consultation with the Nevada Department of Wildlife & Sagebrush Ecosystem Technical Team determines that the described lands do not contain GRSG or suitable habitat or are otherwise incapable of serving the requirements of GRSG and therefore no longer warrant consideration as a component necessary for their protection.

Parcel #

Legal Land Description

NV-18-10-008

T. 0340N., R.035E., 21 MDM, NV
Sec. 004, Lot 1;
004, S2NE, N2SE;

**Sage-Grouse Habitat
(#NV-W-16-G-CSU)**

Stipulation: Control Surface Use (CSU). In General Management Habitat Areas (GHMA), the BLM will apply lek buffer distances specified as the lower end of the interpreted range in the report unless justifiable departures are determined to be appropriate (see below). The lower end of the interpreted range of the lek buffer distances is as follows:

- Linear features (roads) within 3.1 miles of leks
- Infrastructure related to energy development within 3.1 miles of leks
- Tall structures (e.g., communication or transmission towers and transmission lines) within 2 miles of leks
- Low structures (e.g., fences and rangeland structures) within 1.2 miles of leks
- Surface disturbance (continuing human activities that alter or remove the natural vegetation) within 3.1 miles of leks
- Noise and related disruptive activities, including those that do not result in habitat loss (e.g., motorized recreational events) at least 0.25 miles from leks.

Objective [Purpose]: To protect GRSG leks.

Exception: Justifiable departures to decrease or increase from these distances, based on local data, best available science, landscape features, and other existing protections (e.g., land use allocations and state regulations) may be appropriate for determining activity impacts. The USGS report recognized “that because of variation in populations, habitats, development patterns, social context, and other factors, for a particular disturbance type, there is no single distance that is an appropriate buffer for all populations and habitats across the sage-grouse range.” The USGS report also states that “various protection measures have been developed and implemented... [which have] the ability (alone or in concert with others) to protect important habitats, sustain populations, and support multiple-use demands for public lands.” All variations in lek buffer distances will require appropriate analysis and disclosure as part of activity authorization.

Modification: None

Waiver: None

Parcel #

NV-18-10-008

Legal Land Description

T. 0340N., R.035E., 21 MDM, NV
Sec. 004, Lot 1;
004, S2NE, N2SE;

**Lease Notice – Sage-Grouse Habitat
(#NV-W-16-H-LN)**

According to the Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan Amendment (NVCA Approved GRSG RMP Amendment), specific Required Design Features (RDFs) are required for certain activities in all Greater Sage-Grouse (GRSG) habitats. RDFs establish the minimum specifications for certain activities to help mitigate adverse impacts. However, the applicability and overall effectiveness of each RDF cannot be fully assessed until the project level when the project location and design are known. Because of site-specific circumstances, some RDFs may not apply to some projects (e.g., a resource is not present on a given site) and/or may require slight variations (e.g., a larger or smaller protective area). All variations in RDFs would require that at least one of the following be demonstrated in the NEPA analysis associated with the project/activity:

- A specific RDF is documented to not be applicable to the site-specific conditions of the project/activity (e.g. due to site limitations or engineering considerations). Economic considerations, such as increased costs, do not necessarily require that an RDF be varied or rendered inapplicable;
- An alternative RDF is determined to provide equal or better protection for GRSG or its habitat;
- A specific RDF will provide no additional protection to GRSG or its habitat.

A list of the RDFs may be found in Appendix C of the NVCA Approved GRSG RMP Amendment; however application of the RDFs is site specific at the project proposal stage.

Parcel #

Legal Land Description

NV-18-10-008

T. 0340N., R.035E., 21 MDM, NV
Sec. 004 ALL;
020 ALL;